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Attorney for Petitioner, David Robert Thomson

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

DAVID ROBERT THOMSON,

Petitioner,

vs.

BRIAN WILLIAMS, et al. ,

Respondents.

CASE NO. 2:17-cv-02932-RFB-EJY

**STIPULATION AND ORDER TO ALLOW PETITIONER DAVID THOMSON TO
FILE A THIRD AMENDED PETITION FOR WRIT OF HABEAS CORPUS (SECOND
REQUEST)**

IT IS HEREBY STIPULATED by and between Petitioner, David Robert Thomson, by and through his attorney, Paola M. Armeni, Esq., of the law firm of Clark Hill, and Respondents, by and through Aaron Ford, Nevada Attorney General, and Natasha M. Gebrael, Deputy Attorney General of the State Nevada, that counsel for Petitioner can file a Third Amended Petition for Writ of Habeas Corpus.

IT IS FURTHER STIPULATED, by the parties, that Petitioner David Thomson's Third Amended Petition for Writ of Habeas Corpus shall be filed ninety (90) days from the filing of the Order allowing Mr. Thomson to file such a Petition.

This Stipulation is entered into for the following reasons:

1. Mr. Thomson's former counsel filed a Second Amended Petition Writ of Habeas Corpus. Current counsel for Petitioner substituted in as attorneys of record for Mr. Thomson on April 4, 2019. After reviewing the case, current counsel determined that a Third Amended Petition was appropriate. Counsel is currently working on the Third Amended Petition, but additional time is needed to finalize the petition and provide adequate representation to Mr. Thomson.

2. Counsel for the Respondent has no objection to Petitioner filing a Third Amended Petition; however, Respondent's stipulation to allow Mr. Thomson to file a Third Amended Petition does not signify an implied finding of a basis for tolling any applicable period of limitations or the waiver of any other procedural defense. Petitioner at all times remains responsible for calculating any limitation periods and understands that, in allowing the Third Petition, this Court makes no finding or representation that the petition, any amendments thereto, and/or any claims contained therein are not subject to dismissal as untimely.

3. This stipulation is not filed for the purpose of delay, but in the interests of justice, in order to ensure that Mr. Thomson has effective and thorough representation in his federal habeas action.

DATED this 29th day of January, 2020.

CLARK HILL

AARON FORD
Nevada Attorney General

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ORDER

Upon stipulation of the parties, and good cause appearing therefor,

IT IS HEREBY ORDERED that counsel for the Petitioner; David Robert Thomson is hereby granted leave to file a Third Amended Petition for Writ of Habeas Corpus.

IT IS FURTHER ORDERED that Petitioner's Third Amended Petition of Writ of Habeas shall be filed ninety (90) days from the filing of the Order allowing Mr. Thomson to file such a Petition.

DATED this 4th day of February, 2020.


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE